

REMARKS:

Claims 10 - 17 are in the case and presented for consideration.

The claims have been amended to improve their form and better highlight the invention.

A new title has been utilized in the amended specification and other changes made to address each of the points raised by the examiner.

Pending the examiner's approval, attached please find a proposed Fig.4 which is an exploded view corresponding to Figs.1 - 3 originally filed. Each of the structures shown in new fig.4 are supported by the specification and drawings originally filed. If acceptable to the examiner, it is proposed that Fig.4 be added to the application with the following further changes to the specification:

Numbered page 1 change the two paragraphs beginning on line 17 to read as follows:

Figure 2 shows a detail of the closure of Figure 1, in section and on an enlarged scale, [[and]]

Figure 3 shows the closure of Figure 1 with parts separated [[.]] and

Figure 4 is an exploded view of the invention illustrated in Figures 1 - 3.

The examiner is requested to indicate whether Fig.4 and the corresponding amendment to the text are acceptable.

The examiner has also rejected claims 1 - 9 as being indefinite under 35 U.S.C. 112. Newly presented claims 10 - 17 are believed to be in proper form under 35 U.S.C. 112 and further examination of the claims is respectfully requested.

The examiner has rejected claims 1, 2, 3 and 9 as being fully anticipated by the published international application to Morini. Claims 1 - 5 and 9 are also rejected as

fully anticipated by U.S. patent 3,850,328 to Guala.

Claims 6 - 8 have also been rejected as obvious from Guala in view of U.S. Patent 4,679,696 to Bonnenfant.

Morini does not appear to disclose a sleeve composed of at least two portions extending around the neck of the bottle nor a tubular appendix axially connected to the skirt of the cap, extending around the sleeve in order to keep the two portions circumferentially adjoined to each other. In Fig.1 of Morini, the weakening 13 referred to by the examiner breaks to release a lower security strip 9 away from an upper annular body 11. There is no indication at all in Morini that a sleeve made up of at least two circumferentially dividable portions should be provided nor that a tubular apex of a cap skirt extending around the sleeve is needed to keep the two portions of the sleeve circumferentially adjoining each other. Morini in fact has no two sleeves which are or can circumferentially adjoin each other.

The remaining claims distinguish the invention even further from Morini. The examiner's attention is in particular directed to claim 14 but the remaining claims define other important and additional distinctions of the invention over the prior art.

Turning to the Guala reference, here again there appear to be no sleeves having at least two portions which are kept circumferentially adjoined to each other by a tubular apex of a cap skirt.

Bonnenfant while disclosing a sleeve of a different color, also utilizes the prior art annular sleeve which is broken into two annular parts and is thus closer to Guala and even to Morini than to the present invention.

By this amendment thus the application and claims are believed in condition of allowance and favorable action in respectfully requested.

Respectfully submitted,



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